

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Transport Department – Allegation of demand and acceptance of bribe – Disciplinary action initiated against Sri S.Mahaboob Basha, the then Senior Assistant, Office of the Regional Transport Office, Kurnool – Detailed enquiry conducted – Imposition of penalty of stoppage of three annual grade increments with cumulative effect – Orders – Issued.

=====

TRANSPORT, ROADS & BUILDINGS (Vig.III.1) DEPARTMENT

G.O.Rt.No. 526.

Dated: 28th May, 2011.
Read the following:-

- 1) G.O.Ms.No.128, T.R&B.(Tr.I) Department, Dated 09.07.1996.
- 2) The Court of the Addl.Spl.Judge for SPE & ACB Cases, Hyderabad Judgment in C.C.No.13/1996, Dated 30.11.1999.
- 3) G.O.Ms.No.5, T.R&B(Tr.I) Department, Dated 05.01.2001.
- 4) G.O.Ms.No.180. T.R&B(Tr.I) Department, Dated 09.10.2002.
- 5) Charge Memo.No.9505/X1/V4/96, Dated 21.03.2003.
- 6) G.O.Rt.No.1109, T.R&B(Vig.III.1) Department, Dated 15.12.2004.
- 7) G.O.Rt.No.751, T.R&B(Vig.III) Department, Dated 14.05.2008.
- 8) From the Inquiry Officer D.O.Lr.No.769/COI-CK/5/2008-5, Dated 09.01.2009.
- 9) Govt.Memo.No.2371/Vig.III(1)/2001-16, Dated 28.05.2009.
- 10) Explanation of Sri S.Mahaboob Basha, Dated 10.05.2010.
- 11) Govt.Letter No.2371/Vig.III(1)/2001-20, Dated 24.02.2011.
- 12) From the Principal Secretary, APPSC, Hyderabad Letter No.366/RT-I/1/2011, Dated 25.04.2011.

In the G.O 1st read above, on the allegation of demand and acceptance of bribe against Sri S.Mahaboob Basha, the then Senior Assistant Office of the Regional Transport Office, Kurnool sanction was accorded for prosecution of Sri S.Mahaboob Basha, the then Senior Assistant Office of the Regional Transport Office, Kurnool in a Court of Law.

2. In the Judgement 2nd read above, the Court of the Addl.Spl.Judge for SPE & ACB Cases, Hyderabad convicted the A.O. and also sentenced to undergo rigorous imprisonment etc. Against the above said judgement, Sri S.Mahaboob Basha filed Crl.Appeal No.1899/1999 before the High Court of Andhra Pradesh.

3. In the meanwhile, in the G.O. 3rd cited, Sri S.Mahaboob Basha was dismissed from service.

4. The matter stood thus, the Hon'ble High Court in its common judgement dt.14.03.2001 allowed the appeal. Against the above judgement, an SLP has been filed in the Supreme Court of India. The Supreme Court in its judgement dt.12.04.2002 in Petition(s) for Spl.Leave to Appeal (Crl.) No.2942-2943/2001 dismissed the SLP.

5. Government after examining the matter, issued orders reinstating Sri S.Mahaboob Basha into Service vide G.O.4th read above.

6. On further examination of the matter, Government have observed that the acquittal of A.O is purely on technical grounds and therefore decided to initiate disciplinary proceedings against Sri S.Mahaboob Basha, the then Senior Assistant and accordingly in the reference 5th read above, disciplinary proceedings have been initiated.

P.T.O.,

7. In the reference 6th read above, Government have appointed the Inquiry Officer to conduct enquiry into the matter. In the reference 8th read above, the Enquiry Officer submitted enquiry report duly holding that the charge against Sri S.Mahaboob Basha, Sr.Assistant as proved.

8. In the reference 9th read above, while communicating the copy of enquiry report, to Sri S.Mahaboob Basha, Sr.Assistant, was informed that he can make a representation in the matter. In the reference 10th read above, he has submitted his explanation requesting the Government to exonerate him of the charge in the interest of the justice.

9. The Government after careful examination of the matter and based on the material available on record, have observed that since both High Court and the Supreme Court made entire rulings based on the Technical grounds and therefore provisionally decided to award a punishment of stoppage of three annual grade increments with cumulative effect against Sri S.Mahaboob Basha, Sr.Assistant.

10. In the reference 12th read above, the APPSC who was consulted in the matter, have agreed with the proposal of the Government and advised accordingly.

11. Accordingly, Government hereby impose the punishment of stoppage of three annual grade increments with cumulative effect against Sri S.Mahaboob Basha, Senior Assistant.

12. The Transport Commissioner, Andhra Pradesh Hyderabad shall take further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DINESH KUMAR,
PRINCIPAL SECRETARY TO GOVERNMENT.

To
Sri S.Mahaboob Basha, Senior Assistant
through Transport Commissioner, Andhra Pradesh Hyderabad.
The Transport Commissioner, Andhra Pradesh Hyderabad.

Copy to:

The Director General, Anti-Corruption Bureau, Andhra Pradesh,
Hyderabad.

The Secretary, Andhra Pradesh Vigilance Commission, Hyderabad.

The Secretary, A.P.Public Service Commission, Hyderabad.

SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER.